



1709/DJW
Docket No.: K21315USWO (C038435/0183897)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Katja BERG-SCHULTZ and Ulrich HUBER) Examiner: T. L. Matochik
Serial No.: 10/521,629) Art Unit: 1709
Filed: September 30, 2005)
For: SUNSCREENS)

New York, New York
June 27, 2007

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed May 29, 2007, which set a one-month shortened statutory period for response. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before June 29, 2007. Deposit Account No. 02-4467 (37 CFR § 1.17). A duplicate copy of this sheet is enclosed.

On page 2 of the Office Action, the Examiner issued a three-way restriction requirement pursuant to 35 USC §§ 121 and 372. (Paper No. 20070510 at 2.) The restriction divided the claims into the following allegedly distinct inventions: Group I drawn to a "polysiloxane comprising trimethylsiloxane end groups, a plurality of UV absorbing moieties (2-200), a plurality of lipophilic moieties (2-200) and optionally, a plurality of ionogenic/hydrogen bonding (1-100) and methylhydrosiloxane (1-20)

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moieties per molecule" containing claims 1-6; Group II drawn to "methods of protecting UV radiation sensitive materials or products and human skin or hair using the polysiloxane from Group I" containing claims 7, 8, and 13; and Group III drawn to "pharmaceutically and/or cosmetically acceptable excipient compositions containing the polysiloxane from Group I" containing claims 9-11 and 14. (*Id.*)

In accordance with restriction practice, the subject matter of **claims 1-6 (Group I)** is hereby elected for prosecution with traverse.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mailstop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 27, 2007.


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Respectfully submitted,

By:


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